

REGULATION

Appointing Authority Letter Reference:	Effective Date: <u>August 20, 2000</u>	Index Reference:	Regulation Number: <u>3.04</u>
Issuing Bureau: Human Resource Services	Rule Reference: <u>Civil Service Commission Rule 3-2.1 and 3-2.2</u> <u>Sections 1-1.1, 1-2.1 and 3-4.1-7.1, 3-1.1, 3-1.2, 3-1.3, 3-2.1, 3-2.3, 3-3.1,</u>	Replaces: Reg. ulations 3.02, (CS-6802 June 25, 1996) 3.04 (CS-6806 July 16, 1996), and 3.06 (CS-6877 May 18, 1998)	
Subject: SELECTION OF EMPLOYEES FOR POSITION VACANCIES FROM AN AGENCY CREATED APPLICANT POOL			

Index

1. Purpose	1
2. Civil Service Commission Rule Reference	2
3. Definitions.....	3
4. Standards	3
5. Procedure	8

AUTHORITY:

~~The Michigan Constitution of 1963, Article 11, Section 5, states:~~

~~The Commission shall make rules and regulations covering all personnel transactions and regulate all conditions of employment in the classified service. . . . No person shall be appointed to or promoted in the classified service who has not been certified by the commission as qualified for such appointment or promotion.~~

1. PURPOSE

This regulation establishes standards and practices to be used when considering and selecting candidates for vacant positions from agency created applicant pools. This regulation provides a foundation for establishing sound personnel practices that result in a meritorious, job-related selection process.

2. CIVIL SERVICE COMMISSION RULE REFERENCE

A. ~~Civil Service Commission Rules state: 1-11-6~~ Merit, Efficiency, and Fitness. — All appointments and promotions to positions in the classified service, and all measures for the control and regulation of employment in such positions, and separation therefrom, shall be based on merit, efficiency, and fitness.

B. ~~1-2-11-7.1~~ Conditions. — No person shall be discriminated against in seeking employment, in being appointed or promoted, or in any condition of employment in the classified service, or any separation therefrom, because of race, color, religion, national origin, ancestry, disability, partisan considerations, age, or sex. Age or sex may be determined to be a bona fide occupational qualification.

C. ~~3-2-13-1.1~~ Authority. — ~~The state personnel director is authorized to certify as qualified each person appointed or promoted in the classified service~~[Ref. Commission Meeting July 2000.]. The department of civil service shall prepare or approve examinations for all classified positions. Examinations are referred to as appraisal methods in these rules.

D. ~~3-2-23-1.2~~ Content and Method. — Appraisal methods must assess relevant, job-related knowledge, skills, abilities, and other qualifications necessary for successful job performance. The department of civil service may use another organization's appraisal results.

E. ~~3-2-33-1.3~~ Application. — The department of civil service shall establish procedures for persons seeking positions in the classified service.

F. ~~3-3-13-2.1~~ Employment List Applicant Pool. — The department of civil service may establish and maintain applicant pools. The department of civil service may divide applicant pools by geographic area, organizational unit, occupational specialty, type of appointment, or other criteria. The state personnel director shall issue regulations for the duration and use of applicant pools. A person's eligibility to remain in an applicant pool or to be referred for a position is determined under the civil service rules and regulations in effect at the time the department of civil service refers names of qualified applicants to an appointing authority.

G. ~~3-3-23-2.3~~ Recall Lists. — An employee is eligible to be placed on a recall list only if the employee (1) gained status from an indefinite appointment to a permanent classified position, and (2) is laid off, demoted, or otherwise displaced for reasons of administrative efficiency. Recall lists are not created or maintained for classifications that are protected from the application of employment preference in 2-4 or applicable regulation.

H. ~~3-4.13-3.1~~ Process. — All appointments and job changes in the classified service must be made in accordance with civil service rules and regulations.

3. DEFINITIONS:

A. Civil Service Commission Rules Definitions:

8-1.51. **Applicant** means person who requests to participate in an appraisal process.

8-1.62. **Applicant Pool** means a group of applicants whom the department of civil service has determined to be qualified.

8-1.163. **Candidate Pool** means a qualified person considered for a position.

B. Additional Definition. As used in this regulation:

1. **Agency Created Applicant Pool.** A group of applicants who have been recruited by an agency using appropriate methods to ensure equal employment opportunity.

4. STANDARDS

A. Recall Names.

1. All recall names must be cleared prior to filling a position.

B. Recruitment

A.1. An appointing authority may use any appropriate method to recruit and contact applicants for a position vacancy that ensures equal employment opportunity for a qualified applicant pool.

1.a. The Civil Service Vacancy Posting web site is the primary method for recruiting for vacancies. Exceptions to its use are listed on recruitment communications for specific groupings of classifications.

2.b. Civil Service will develop and maintain an overall recruitment strategy and plan to assist agencies in selecting candidates for selected classifications. (See Advisory Bulletin XXX.XX.) Other appropriate recruitment activities include, for example, the use of electronic resume job search providers ([Michigan Search Bank](#), I-Job, HRMN Database, etc.); state and county employment service offices; partnerships with schools,

community service agencies, trade and vocational organizations, and community organizations (e.g., Urban League, NAACP, minority and women's professional or fraternal associations, etc.) recruitment firms.

B.2. Appointing authorities shall ensure equal employment opportunity consistent with Civil Service rules and regulations.

C.3. In the recruitment process, consistent job-related information will be provided. Information may include, for example, the following:

1.a. Proper Civil Service position title, classification level, and working title, if different.

2.b. A brief description of the job duties, responsibilities and working conditions.

3.c. Qualifications or special requirements needed for the position.

4.d. Salary.

5.e. ~~Employment type~~ Employee status code.

6.f. Job location.

D.4. A minimum of seven (7) calendar days from the date of contact is recommended for applicants to respond.

II.C. APPLICANT SCREENING

A.1. An agency may conduct a preliminary screening of applicants to reduce the size of the applicant pool to an acceptable number of candidates.

B.2. The screening criteria must be job-related and ensure equal employment opportunity.

III.D. CANDIDATE CREDENTIAL REVIEWS

A.1. Civil Service will conduct credential reviews in the following circumstances:

1.a. For ~~non-state candidates for~~ classifications not preauthorized for credential review by the ~~agency~~ appointing authority.

2.b. To approve other combinations of education and experience.

3.c. When the agency requests assistance for conducting credential reviews for classifications for which they have preauthorized authority.

B.2. Civil Service will authorize appointing authorities to conduct credential reviews for predetermined classifications (See Advisory Bulletin XXX-XXX for a listing of these classifications.)

4.a. Each appointing authority shall nominate one or more persons to act as agency credential reviewers.

2.b. Civil Service will conduct training for agency staff assigned to this process.

3.c. An appointing authority will not be authorized to conduct credential reviews until they have received adequate training by Civil Service. Additional periodic training may be provided at any later date to ensure quality and accuracy.

4.d. The appointing authority shall document their candidate credential review decisions.

5.e. Failure to comply with established standards may result in cancellation of the credential review authorization.

IV.E. EVALUATION OF CANDIDATES

A.1. An appointing authority may evaluate and verify the qualifications of candidates using any appropriate selection method(s), as permitted by law. Examples of selection-appropriate methods include, but are not limited to, the following:

4.a. Job/person fit measures.

2.b. Background investigations.

3.c. Assessment of applicants' education, training, and experience.

4.d. Formal job performance evaluations from current and previous jobs.

5.e. Structured interviews.

6.f. Job simulations.

7.g. Performance tests.

8.h. Physical agility tests.

9.i. Reference checks.

10.j. Supplemental written or electronic tests.

B.2. Evaluation methods and criteria shall be job-related. To the extent practical, an agency shall utilize the same, or substantially similar, selection methods(s) and criteria, and elicit the same, or substantially similar, pertinent, job-related information for all candidates. Civil Service staff will provide assistance in the development or use of any additional assessment-evaluation methods, if requested.

C.3. All non-selected candidates who are contacted for any evaluation by an appointing authority shall be notified, at the conclusion of the selection process, that they are not selected or, a particular vacancy is not going to be filled.

V.F. SELECTION OF NON-CAREER EMPLOYEES

A.1. The selection of non-career employees does not require a full evaluation process. Documentation for the selection of non-career employees should include a current, approved position description, documentation that recall records were checked, and the evaluation of the selected candidate compared to the rating criteria used.

VI.G. CERTIFICATION OF APPOINTMENT

1. Certification of the appointment will be validated through a HRMN Requisition (PA42.1).

A.2. The validation must be entered on the Requisition Applicants (PA43.1). This is done by selecting the appropriate code in the Source column. If the source code is "recall" the date of the recall list must be entered in the Applied column. Otherwise enter the current date in the Applied column.

VII.H. DOCUMENTATION

A.1. An appointing authority shall maintain accurate documentation for all steps of the selection process. The documentation shall be maintained for at least three (3) years from the completion of the selection process. Documentation to be retained shall include:

1.a. A current, approved position description, including any approved special requirements (e.g., current selective position requirements).

2.b. Method(s) used to notify applicants of a vacancy, a selection, or a decision not to fill a vacancy.

c. Verification that recall obligations have been met.

3.d. Applications for the position that is the subject of the selection process.

4.e. Interview questions, final completed rating forms, or other selection documentation.

5.f. Results of other selection methods used (e.g., performance tests, reference checks, job simulations).

6.g. Evaluation of the selected candidate compared to the selection criteria used.

7.h. Documentation verifying that the candidate selected for the position meets the educational and experience qualifications and any special requirements for the job. Such verification shall be made prior to the time of appointment. Appointing authorities shall notify the Department of Civil Service if it appears that applicants may have misrepresented their credentials.

8.i. Documentation verifying that all non-selected candidates who were contacted were notified that they were not selected or that the vacancy was not filled.

VIII.I. COMPLIANCE

A.1. The ~~three (3)~~ year documentation retention period begins once all candidates who were contacted for an interview or other assessment are notified of the outcome of the selection process.

B.2. The selection process is subject to post audit.

C.3. Appointing authorities shall cooperate in the investigation and participate in the defense of their selection methods.

5. PROCEDURE**Responsibility****Action**

Appointing Authority

1. Determines if there are any recall, posting, or transfer obligations required by collective bargaining agreements. Requests recall list, if necessary.
2. Determines if there are any EEO considerations or requirements to be met. Conducts additional recruitment, as necessary, using tools available (see Standard [4A.](#)).
3. Collects resumes and applications from interested applicants.

Appointing Authority/Civil Service

4. Screens applicants in accordance with Standards [2B.](#) and [4C.D.3.](#)
5. Conducts credential reviews in accordance with Standard [3C.](#) for candidates the agency wants to consider in order to determine candidates' eligibility based on the minimum requirements.

Appointing Authority

6. Schedules and conducts job-related assessment of the candidates in accordance with Standard [4D.](#)
7. Makes selection in accordance with agency procedures.
8. Contacts selected candidate and makes contingency offer of employment, pending acceptance of offer and passing of drug test, if one is required.

August 20, 2000	Regulation 3.04: Selection of Employees For Position Vacancies From An Agency Created Applicant Pool	Page 9 of 9
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Civil Service

9. Appoints the selected candidate in accordance with Civil Service Regulation [3.403.07](#), "Appointments and Job Changes."
10. Notifies the non-selected candidates. (See Standard [4D](#).)
11. Retains documentation in accordance with Standard [7G](#).
12. Conducts post audit of selection activities for compliance with Civil Service rules and regulations.

CONTACT PERSON:

Questions regarding this regulation should be directed to the Department of Civil Service, PO Box 30002, 400 South Pine Street, Lansing, Michigan, 48909, (517) 373-3048 or 1-800 788-1766, or MDCS@state.mi.us.

NOTE: Regulations are issued by the State Personnel Director under authority granted in the State of Michigan *Constitution* and the *Michigan Civil Service Commission Rules*. Regulations that implement Commission Rules are subordinate to those Rules.